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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 MICHAEL S. SPENCER, et al.,)

7 Plaintiffs,)

8 vs.)

9 GLEN WHORTON, et al.,)

10 Defendants.)
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3:07-CV-0635-LRH (VPC)

3:08-CV-0024-LRH (VPC)

ORDER

12 Plaintiff, JOSEPH TRACY #69718, and defendants, through their counsel, entered a stipulation
13 to dismiss this action with prejudice pursuant to a settlement agreement (#190). The parties' agreement
14 provides that the parties waive payment of the remaining filing fees associated with this case in exchange
15 for dismissal of the action.

16 **IT IS THEREFORE ORDERED:**

17 1. The Director of the Nevada Department of Corrections or his designee shall not collect or
18 deduct any further payments from plaintiff's inmate trust account for the purpose of paying the balance
19 remaining on the filing fee as set forth in the Order approving application to proceed *in forma pauperis*.

20 2. Filing fees collected since entry of the order approving the stipulation dismissing this
21 action with prejudice shall not be refunded to the plaintiff.

22 3. The Clerk of Court is directed to serve a copy of this order on the Director of the Nevada
23 Department of Corrections.

24 Dated September 24, 2010.



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27 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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